

12-22-03



PATENT

03AB014A

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Date: December 19, 2003

Heather Holmes

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant: David Brandt, *et al*

Examiner: Unknown

Serial No: 10/661,239

Art Unit: 2121

Filing Date: September 12, 2003

Title: SYSTEM AND METHODOLOGY PROVIDING AUTOMATION SECURITY  
ARCHITECTURE IN AN INDUSTRIAL CONTROLLER ENVIRONMENT

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**REQUEST FOR ENTRY OF RESCISSION OF NON-PUBLICATION  
REQUEST/PETITION UNDER 37CFR 1.137 (B)**

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Dear Sir:

The above-identified application became abandoned for failure to timely notify the Office of the filing of an application in a foreign country directed to the invention disclosed in the above-identified application. This request accompany's a Rescission of Non-Publication Request in connection with the subject patent application. The serial number for this U. S. application was

received after the 45 day period of international filing of the application. Applicants' representative made numerous telephone calls to the Patent Office in connection with the trying to obtain the serial number without result. The filing receipt (identifying the serial number) was received after the 45 day period. Accordingly, applicant's have only now been able to file the Rescission of Non-Publication Request and identify the application to the Patent Office via the serial number.

Entry of this Rescission of Non-Publication Request is respectfully requested. In the event, a petition to revive the application is necessary, such petition is hereby made. Applicant's representative respectfully submits that any abandonment of the application was unintentional and without deceptive intent, and only the result in delay by the Patent Office in sending out the filing receipt. Accordingly, any revival fees should be waived.

Since the above identified utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

If any fees are required in connection with this document, the Commissioner is authorized to charge them to Deposit Account No. 50-1063, Order No. ALBRP303USA.

Respectfully submitted,  
AMIN & TUROCY, LLP



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# **RESCISSION OF PREVIOUS NONPUBLICATION REQUEST**

(35 U.S.C. 122(b)(2)(B)(ii))

AND, IF APPLICABLE,

# **NOTICE OF FOREIGN FILING**

(35 U.S.C. 122(b)(2)(B)(iii))

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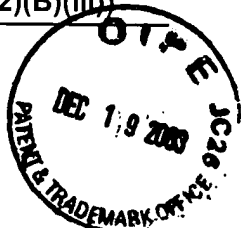
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Application Number

**10/661,239**

Filing Date

**September 12, 2003**

First Named Inventor

**David Brandt, et al.**

Title

**SYSTEM AND METHODOLOGY PROVIDING ....**

Atty Docket Number

**03AB014A**

Group Art Unit

**Unknown**

Examiner

**Unknown**

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

*If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).*

12/18/03

Date

Signature

(216) 696-8730

Telephone Number

Himanshu S. Amin

Typed or printed name

**This request must be signed in compliance with 37 CFR 1.33(b).**

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at [PGPub@USPTO.gov](mailto:PGPub@USPTO.gov).

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Himanshu S. Amin

Signature

Date

12/18/03

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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